

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DIMITAR TRANCHEFF,

Defendant.

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8:05CR189

ORDER

This matter is before the court on the government's motion to continue trial (Doc. 34) for the reason that an essential witness is not available until after January 28, 2010.

IT IS ORDERED that the motion to continue trial (Doc. 34) is granted, as follows:

1. The jury trial now set for **January 26, 2010** is further continued to February 9, 2010.

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **January 26, 2010 and February 9, 2010**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act because the failure to grant a continuance would deny the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED January 4, 2010.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**